# Expressions of Interest – Short-term Allocation of Spectrum in the Upper Portion of the 3.5 GHz Band

**Preamble**

1. The Radio Spectrum Management (RSM) team, within the Ministry of Business, Innovation, and Employment (MBIE), invites expressions of interest from those who wish to obtain short-term access to spectrum in the upper portion of the 3.5 GHz band in line with the provisions outlined in this document.
2. RSM wishes to directly engage with parties that have capability to deploy 5G services in the timeframe mid-2020 to October 2022. Applicants will need to demonstrate that they have the technical and financial capacity to deliver a service within this time period.
3. RSM reserves the right to amend or cancel the expression of interest process at any time.

**Background**

1. RSM is preparing for the future deployment of 5G services throughout New Zealand. 5G, the next generation cellular mobile technology, is expected to deliver significantly faster data services than current technology. It also aims to deliver other benefits, such as low-latency connections used by autonomous vehicles, or for massive machine to machine connectivity as used by the Internet of Things.
2. In March 2018, RSM released a discussion document seeking feedback on the possible 5G spectrum bands, their future allocation, and on any other issues to consider in the rollout of 5G technology in New Zealand.
3. In December 2018, the Government agreed that the frequency range between 3410-3800 MHz (known as the ‘3.5 GHz band’) will be used to provide 5G services. Rights for national networks will be allocated as management rights, by auction, for a term of up to 20 years. Rights would begin in November 2022, once existing management rights in the 3.5 GHz band expire on 31 October 2022.
4. In July 2019, RSM released a discussion document seeking feedback on technical arrangements of the 3.5 GHz band. This document set out the proposed rules and the technical requirements for operating in the 3.5 GHz band once new management rights begin in November 2022.
5. Feedback received through consultation indicates there is interest in accessing some spectrum within the 3.5 GHz band prior to November 2022. RSM has identified spectrum in the upper portion of the 3.5 GHz band that could be made available for a limited period between mid-2020 and up to 31 October 2022.

**Spectrum being made available**

1. The spectrum that is subject to this expression of interest is in the upper portion of the 3.5 GHz band, namely in the frequency range between 3590 – 3800 MHz. There are encumbrances to varying degrees within this frequency range, as well as in the lower and upper adjacent ranges, which will need to be managed.
2. Any management rights or spectrum licences granted within the upper portion of the 3.5 GHz band will be for the period from the date of signing an agreement with the Crown to 31 October 2022. There will be no right of renewal. This reflects the Government’s intention to auction long term management rights of up to 20 years to commence from 1 November 2022.

**How to make an expression of interest**

1. Interested parties are invited to submit completed expression of interest forms (please see **Annex 1**), by no later than 5pm on Friday 4 October 2019 to:

By email: [Radio.Spectrum@mbie.govt.nz](https://mako.wd.govt.nz/otcsdav/nodes/93558548/mailto_Radio.Spectrum%40mbie.govt.nz)

Subject line: “Expressions of Interest – Short-term Allocation of Spectrum in the Upper Portion of the 3.5 GHz Band”

1. Any party wishing to discuss the proposals with Ministry officials should email, in the first instance, [Radio.Spectrum@mbie.govt.nz](https://mako.wd.govt.nz/otcsdav/nodes/93558548/mailto_Radio.Spectrum%40mbie.govt.nz)
2. **Annex 2** provides the criteria which RSM will evaluate expressions of interest.

**Next steps after submitting an expression of interest**

1. RSM will assess the expressions of interest received. Once suitable parties have been identified, RSM will engage with those parties directly on specific matters, including those of a technical and commercial nature.
2. Those parties who RSM considers does not meet the requirements of this expressions of interest will also be informed.
3. Information gathered from this expressions of interest process will help inform decisions on whether to allocate the spectrum available, how to allocate the spectrum and other matters such as how much spectrum is made available.

If RSM proceeds to the next phase of allocating spectrum, allocation may be by direct sale or a competitive process such as an auction or tender.

**Annex 1 – Expressions of Interest Form**

**1. Application Contact Details**

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| --- | --- |
| **Applicant’s name** |  |
| **Organisation** |  |
| **Contact phone number** |  |
| **Contact email address** |  |
| **Postal Address** |  |

**2. Description of your organisation**

**3. Please state how much spectrum your organisation would be interested in obtaining for short-term access and the reasons why that quantity is necessary**

**4. Description of your organisation’s capabilities and commitment to make use of the short-term access to spectrum in the 3.5 GHz band for 5G services**

**5. Description of the type of 5G (or compatible) services to be offered in the 3.5 GHz band that could not be deployed in other frequency bands**

**Annex 2 - How your expression of interest will be assessed**

RSM will assess expressions of interests against the following assessment criteria.

**Assessment Criteria**

Capability of organisation to use spectrum

Does the organisation generally:

* Have the capability to implement a service?
* Have access to suitable technology for the service?
* Have existing experience with implementation of a service, or equivalent technological experience?
* Have the required funding available to invest in obtaining spectrum and implementing a service?
* Have a proven track record of reliability, or delivery, of services?
* Have a clear plan to implement the service before the rights expire?
* Have a plan for the service at the expiry of rights?

Type of services to be implemented in the spectrum

Is the project:

* Intending to deliver 5G services to consumer or business customers? Urban or regional centres?
* Unable to be deployed in another frequency band?
* Innovative or providing something unique to the New Zealand market?